

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AMANDO PEREZ-AVALOS,

Plaintiff,

v.

09-CV-0211

DEBORAH G. SCHULT, Warden FCI Ray Brook,
D. MARIRNI, M.D., clinical director,

Defendants.

THOMAS J. McAVOY
United States District Judge

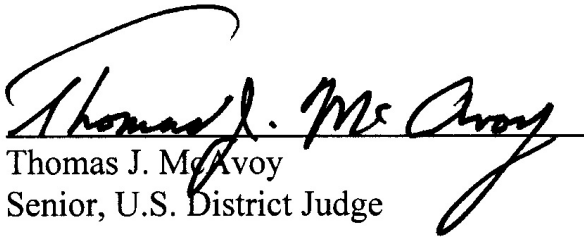
DECISION and ORDER

This matter brought pursuant to the Federal Tort Claims Act ("FTCA"), 28 U.S.C.A. §§ 1346(b), 2671 et seq. and Bivens v. Six Unknown Named Agent of Federal Bureau of Narcotics, 403 U.S. 388 (1971), was referred to the Hon. Randolph F. Treece, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

No objections to the October 14, 2010 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein and grants Defendants' motion to dismiss DISMISSES the Complaint in its entirety.

IT IS SO ORDERED.

Dated: November 18, 2010


Thomas J. McAvoy
Senior, U.S. District Judge